

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 27

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte CLEMENCE K. DARTEY and  
THOMAS E. SOX

Appeal No. 2004-0368  
Application 09/461,887

ORDER REMANDING TO EXAMINER



A Second Supplemental Information Disclosure Statement (IDS)(Paper No. 25) and Statement Under 37 C.F.R. §1.97(e) (Paper No. 26) were filed December 8, 2003, and have been matched with this application at the Board of Patent Appeals and Interferences. These papers need to be considered by the Primary Examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. A written communication notifying appellants of the Primary Examiner's decision is required.

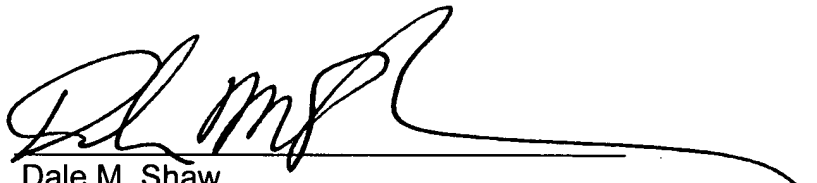
Appeal No. 2004-0368  
Application 09/461,887

Accordingly, it is

**ORDERED** that the application is remanded to the Examiner for consideration of Paper Nos. 25 and 26, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

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